

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**VS.**

**JUAN P. SILVA,**

**Defendant.**

**CASE NO. 8:09CR63**

## ORDER

This matter is before the Court on the motion filed by defense counsel, Lawrence G. Whelan, to withdraw and continue the change of plea hearing scheduled for January 5, 2010 (Filing No. 87).

The motion, filed at 4:59 p.m. on the eve of trial, after defense counsel represented to the Court earlier today that his client was prepared to enter a guilty plea, is denied in all respects. The change of plea hearing scheduled for 10:00 a.m. on January 5, 2010, will be held as scheduled.

IT IS ORDERED that the motion filed by defense counsel, Lawrence G. Whelan, to withdraw and continue the change of plea hearing (Filing No. 87) is denied.

DATED this 4<sup>th</sup> day of January, 2010.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge